



Practitioner's Docket No. MPI01-019P1RNM

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Curtis, Rory A.J.		
Application No.:	10/074,547	Group No.:	1647
Filed:	February 12, 2002	Examiner:	Kapust, Rachel B.
For:	25466, A HUMAN TRANSPORTER FAMILY MEMBER AND USES THEREFOR		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**List of Sections Forming Part of This Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Form PTO/SB/08A (substitute for Form PTO-1449)
3. ☒ Copies of Listed Information Items Accompanying This Statement

**Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee" Mailing Label No. )

**TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Sean Hunziker/Beverly Sotiropoulos

Date: July 8, 2004

(type or print name of person certifying)

*\*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*

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search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

**Section 3. Copies of Listed Information Items Accompanying This Statement**

A legible copy of the relevant portions of the item listed in Form PTO/SB/08A (substitute for Form PTO-1449) accompanies this information statement.

July 8, 2004

MILLENNIUM PHARMACEUTICALS, INC.

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**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed:

☐ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

**OR**

☒ **After** three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but **before** the mailing date of either:

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

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Signature

Sean Hunziker/Beverly Sotiropoulos

Date: July 8, 2004

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- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☒ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**OR**

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

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**FEE PAYMENT**

3. ☒ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

☐ Applicant believes no fee is due in connection with this submission.

		Fee due	\$180.00
<b>METHOD OF PAYMENT OF FEE</b>			
4. <input type="checkbox"/> Attached is a check in the amount of \$ _____.			
<input checked="" type="checkbox"/> Charge Account No. 501668 in the amount of		\$180.00	.

☒ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

<u>July 8, 2004</u>	MILLENNIUM PHARMACEUTICALS, INC. By <u>Tracy M. Sioussat</u> Tracy M. Sioussat, Ph.D. Registration No. 50,609 40 Landsdowne Street Cambridge, MA 02139 Telephone - 617-374-7679 Facsimile - 617-551-8820
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### EXHIBITS A1-A4

to Accompany Amendment and Response in U.S. Serial No. 10/074,547  
to Office Action Dated March 9, 2004

Exhibit A1	S. Srivastava et al., "Biomarkers for Early Detection of Colon Cancer," <i>Clinical Cancer Research</i> , Vol. 7, (May 2001), pp. 1118-1126
Exhibit A2	M.A. Brewer et al., "Prevention of Ovarian Cancer: Intraepithelial Neoplasia," <i>Clinical Cancer Research</i> , Vol. 9 (January 2003), pp. 20-30
Exhibit A3	Y. Ohishi et al., "ATP-Binding Cassette Superfamily Transporter Gene Expression in Human Primary Ovarian Carcinoma," <i>Clinical Cancer Research</i> , Vol. 8, No. 12 (December 2002), pp. 3767-3765 (abstract only provided)
Exhibit A4	D.W. Lambert et al., "Molecular Changes in the Expression of Human Colonic Nutrient Transporters During the Transition from Normality to Malignancy," <i>British Journal of Cancer</i> , Vol. 86, No. 8 (April 2002), pp. 1262-1269 (abstract only provided)



**EXHIBIT B**

to Accompany Amendment and Response in U.S. Serial No. 10/074,547  
to Office Action Dated March 9, 2004

Exhibit B	Copy of Provisional Patent Application No. 60/255,281 and copy of return receipt postcard stamped by USPTO with serial number and filing date
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